

Exclusion—Lower Tier Covered Transactions and Lobbying” and disclosure form, SF–LLL, “Disclosure of Lobbying Activities.” Form CD–512 is intended for the use of recipients and should not be transmitted to NIST. SF–LLL submitted by any tier recipient or subrecipient should be submitted to NIST in accordance with the instructions contained in the award document.

#### **Name Check Reviews**

All for-profit and non-profit applicants will be subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of or are presently facing, criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management honesty or financial integrity. Form CD–346 must be completed for all personnel with key programmatic or fiduciary responsibilities.

#### **Pre-award Activities**

Applicants (or their institutions) who incur any costs prior to an award being made do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal assurance that may have been provided, there is no obligation on the part of NIST to cover pre-award costs.

#### **No Obligation for Future Funding**

If an application is accepted for funding, DOC has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of NIST.

#### **Past Performance**

Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

#### **False Statements**

A false statement on an application is grounds for denial or termination of funds, and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

#### **Delinquent Federal Debts**

No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until either:

1. The delinquent account is paid in full,
2. A negotiated repayment schedule is established and at least on repayment is received, or

3. Other arrangements satisfactory to DoC are made.

#### **Indirect Costs**

Regardless of any approved indirect cost rate applicable to the award, the maximum dollar amount of allocable indirect costs for which the DoC will reimburse the Recipient shall be the lesser of:

(a) The Federal Share of the total allocable indirect costs of the award based on the negotiated rate with the cognizant Federal agency as established by audit or negotiation; or

(b) The line item amount for the Federal share of indirect costs contained in the approved budget of the award.

For the *Physics, MSEL and MEL SURF Programs*, no Federal funds will be authorized for Indirect Costs (IDC); however, an applicant may provide for IDC under his/her portion of Cost Sharing.

#### **Purchase of American-Made Equipment and Products**

Applicants are hereby notified that they are encouraged, to the greatest practicable extent, to purchase American-made equipment and products with funding provided under this program.

#### **Federal Policies and Procedures**

Recipients and subrecipients under each of the above grant programs shall be subject to all Federal laws and Federal and Departmental regulations, policies, and procedures applicable to financial assistance awards.

Each of the above grant programs does not directly affect any state or local government.

Applications under these programs are not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

#### **Executive Order Statement**

This funding notice was determined to be “not significant” for purposes of Executive Order 12866.

Dated: December 1, 1999.

**Karen H. Brown,**

*Deputy Director.*

[FR Doc. 99–31607 Filed 12–6–99; 8:45 am]

**BILLING CODE 3510–13–M**

#### **DEPARTMENT OF COMMERCE**

#### **National Institute of Standards and Technology**

#### **Notice of Prospective Grant of Exclusive Patent License**

**AGENCY:** National Institute of Standards and Technology, Commerce.

**SUMMARY:** This is a notice in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i) that the National Institute of Standards and Technology (“NIST”), U.S. Department of Commerce, is contemplating the grant of an exclusive license world-wide to NIST’s interest in the invention embodied in U.S. Patent Application 09/058,182, titled, “Microroughness-Blind Optical Scattering Instrument”, filed April 10, 1998; NIST Docket No. 97–014US to ADE Corporation, having a place of business at 80 Wilson Way, Westwood, MA. The grant of the license would be for all fields of use.

**FOR FURTHER INFORMATION CONTACT:** Dale D. Berkley, National Institute of Standards and Technology, Office of Technology Program, Building 820, Room 213, Gaithersburg, MD 20899.

**SUPPLEMENTARY INFORMATION:** The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within sixty days from the date of this published Notice, NIST receives written evidence and argument which establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7. The availability of the invention for licensing was published in the **Federal Register**, Vol. 63, No. 131 (July 9, 1998).

U.S. Patent application 09/058,182 is owned by the U.S. Government, as represented by the Secretary of Commerce. The present invention relates to a microroughness-blind optical scanner for detecting particulate contamination on bare silicon wagers focuses p-polarized light onto the surface of a sample. Scattered light is collected through independently rotatable polarizers by one or more collection systems uniformly distributed over a hemispherical shell centered over the sample. The polarizer associated with each collection system is rotated to cancel the corresponding Jones vector, thereby preventing detection of microroughness-scattered light, yielding higher sensitivity to particulate defects. The sample is supported on a positioning system permitting the beam to be scanned over the sample surface of interest.

Dated: December 1, 1999.

**Karen H. Brown,**

*Deputy Director.*

[FR Doc. 99–31682 Filed 12–6–99; 8:45 am]

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